

REAL ESTATE COMMISSION

PROFESSIONAL & VOCATIONAL LICENSING DIVISION
DEPARTMENT OF REGULATORY AGENCIES

STATE OF HAWAII

1010 RICHARDS STREET
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HONOLULU, HAWAII 96801

FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT

KING CHARLES
1635 Clark Street
Honolulu, Hawaii

REGISTRATION NO. 586

IMPORTANT — Read This Report Before Buying

This Report Is Not an Approval or Disapproval of This Condominium Project

It reflects information obtained by the Real Estate Commission in its investigation of the project. This report, based on a principle of disclosure, is issued by the Commission for the purpose of preventing fraud, misrepresentation or deceit.

The developer shall not enter into a binding contract or agreement for the sale of any unit in a Condominium Project until

- (1) A copy of this Report has been given to the prospective purchaser,
- (2) The latter has been given an opportunity to read same, and,
- (3) His receipt taken therefor.

Issued: September 5, 1975
Expires: October 5, 1976

SPECIAL ATTENTION

A comprehensive reading by the prospective purchaser is urged in order that personal requirements and expectations to be derived from the property can be ascertained. The attention of the prospective purchaser is particularly directed to the following:

THIS REPORT REFLECTS INFORMATION DISCLOSED IN THE REQUIRED NOTICE OF INTENTION SUBMITTED July 2, 1973, AND ADDITIONAL INFORMATION SUBSEQUENTLY FILED AS OF August 25, 1975. THE DEVELOPER IN NOTIFYING THE COMMISSION OF ITS INTENTION TO SELL IS COMPLYING WITH THE REQUIREMENTS OF THE HORIZONTAL PROPERTY REGIMES LAW, CHAPTER 514, HAWAII REVISED STATUTES.

1. The Developer has complied with Chapter 514, Hawaii Revised Statutes and has fulfilled the requirements for Issuance of a Final Public Report.

2. Since the issuance of the Commission's Preliminary Report on KING CHARLES, Registration No. 649, dated April 18, 1975, the Developer has submitted additional information and requests a Final Report on the project.

This Final Report (white paper stock) is made a part of the registration, a copy of which the Developer is required to provide, along with a copy of the Preliminary Public Report (yellow paper stock) to all purchasers or prospective purchasers of apartments. Securing a signed copy of the Receipt for Horizontal Property Regimes Public Report from each purchaser and prospective purchaser is also the responsibility of the Developer.

3. The Developer of the project has submitted to the Commission for examination all documents necessary for the registration of a condominium project and issuance of this Final Public Report.

4. The basic documents (Declaration of Horizontal Property Regime, By-Laws of the Association of Apartment Owners and a copy of the approved Floor Plans) have been recorded in the Bureau of Conveyances of the State of Hawaii in Liber 10825 at Page 353. The Floor Plans are filed as Condominium File Plan No. 427.

5. Advertising and promotional matter has been submitted pursuant to the rules and regulations promulgated by the Commission.

6. The Developer advised the Commission that at the time the first apartment lease is entered into between the fee owner and an apartment purchaser, every mortgage and other lien affecting both such apartment and any other apartment shall be paid and satisfied of record, or the apartment being leased shall be released therefrom by partial release duly recorded.

7. This Final Public Report automatically expires thirteen (13) months after date of issuance, September 5, 1975, unless a Supplementary Public Report is issued or the Commission, upon review of the registration, issues an order extending the effective period of this report.

8. The purchaser or prospective purchaser is advised to acquaint himself with the provisions of Chapter 514 of the Hawaii Revised Statutes and the Condominium Rules and Regulations which relate to Horizontal Property Regimes.

The information under the topical headings DESCRIPTION, COMMON INTERESTS, ENCUMBRANCES AGAINST TITLE, and MANAGEMENT AND OPERATION, have been changed as hereafter noted. All other headings as recited in the Preliminary Public Report of April 18, 1975 remain undisturbed.

DESCRIPTION: The recorded Declaration of Horizontal Property Regime incorporate the following revised description of the types, approximate sizes, location and appurtenant common interests of the apartments of the project:

<u>Apt. No.</u>	<u>Type of Unit</u>	<u>Percentage Common Interest</u>	<u>Square Foot Area</u>		
			<u>Net Livable</u>	<u>Lanai</u>	<u>Gross</u>
<u>First Floor</u>					
1	(A)	8.736%	695	174	869
2	(B)	7.400%	736	-	736
3	(C)	10.164%	791	220	1,011
4	(D)	8.847%	660	220	880
5	(D)	8.847%	660	220	880
6	(E)	8.646%	660	200	860
<u>Second Floor</u>					
7	(F)	7.650%	695	66	761
8	(B)	7.400%	736	-	736
9	(G)	9.058%	791	110	901
10	(H)	7.741%	660	110	770
11	(H)	7.741%	660	110	770
12	(I)	7.770%	660	113	773

There are nine (9) basic types of apartments: Types (A) through (I), inclusive. Although there are variation in the respective sizes and floor plans, each apartment contains five (5) rooms, consisting specifically of an entry, living-dining room, two bedrooms, kitchen, and one bathroom. Apartment No. 2 and 8 are the only apartments which do not include an adjacent lanai. Each apartment has immediate access to its entries, and to the walkways and stairways, connecting the building to the parking areas of the Project.

COMMON INTERESTS: The common interests appurtenant to the apartments of the project have been revised as set forth under the topical heading "Description" hereinabove.

ENCUMBRANCES AGAINST TITLE: A Preliminary Title Report, dated August 6, 1975, issued by Hawaii Escrow & Title, Inc. reflects that the land is subject to the following reservations, liens, encumbrances, etc.:

1. REAL PROPERTY TAXES for the fiscal year 1974-75 have been paid in full.

2. RESTRICTIVE COVENANTS AND CONDITIONS as contained in that certain Deed dated July 26, 1920, recorded July 29, 1920 in Liber 553, Page 334, to-wit:

"That no malt, vinous, spiritous or intoxicating liquors of any kind shall ever be sold or exposed for sale, or manufactured on the said premises or any part thereof."

3. MORTGAGE executed by MICHAEL MARSHALL ROSS and ANNETTE KAY ROSS, husband and wife, in favor of HAWAII NATIONAL BANK, HONOLULU, a national banking association, dated December 18, 1968, recorded December 19, 1968 in Liber 6340, Page 190. (As to the fee interest)

4. TERMS, COVENANTS AND CONDITIONS as contained in Lease dated March 13, 1970, recorded October 28, 1970 in Liber 7253, Page 275.

By that certain Instrument dated February 3, 1975 and recorded February 20, 1975 in Liber 10470, Page 264, the lien of the FOREGOING LEASE was subordinated to the lien of that certain Mortgage recorded in Liber 10470, Page 257.

5. BILL OF SALE executed by MICHAEL ROSS and ANNETTE KAY ROSS, husband and wife, as Tenants by the Entirety, to GORDON CRABTREE & ASSOCIATES, INC., a Hawaii corporation, general partner of King Charles Limited, Partnership, dated March 13, 1970, recorded October 28, 1970 in Liber 7253, Page 299. (12-Unit Apartment Building and all appurtenant furniture and fixtures.)

6. MORTGAGE and SECURITY AGREEMENT executed by GORDON CRABTREE & ASSOCIATES, INC., a Hawaii corporation, general partner of King Charles Limited, Partnership, in favor of MICHAEL MARSHALL ROSS and ANNETTE KAY ROSS, husband and wife, as Tenants by the Entirety, dated March 13, 1970 and recorded October 28, 1970 in Liber 7253, Page 304. (as to the Leasehold Interest)

7. MORTGAGE executed by MICHAEL MARSHALL ROSS and ANNETTE KAY ROSS, Husband and Wife, in favor of FINANCE FACTORS, LIMITED, a Hawaii corporation, dated February 3, 1975 and recorded February 20, 1975 in Liber 10470. Page 257. (As to the fee interest).

8. TERMS, PROVISIONS, AGREEMENTS, COVENANTS AND CONDITIONS contained in DECLARATION OF HORIZONTAL PROPERTY REGIME, dated August 1, 1975 and recorded August 6, 1975 in Liber 10825, Page 353. (Project covered by Condominium Map No. 427).

Note: The Commission has been furnished with a copy of an unrecorded option agreement, dated March 14, 1975, but effective January 1, 1975, by and between Developer and the King Charles Limited Partnership, the subject matter of which is said leasehold interest and improvements.

MANAGEMENT AND OPERATION: The developer has advised that the following developments have occurred since the issuance of the Commission's Preliminary Report on April 18, 1975:

(1) The By-Laws have been amended in the following respects to comply with recent changes in the Horizontal Property Act, Chapter 514, Hawaii Revised Statutes:

(a) Article I, Section 1 of the By-Laws has been amended to provide that purchasers of apartments under agreements of sale shall have the same voting rights as owners, subject to any limitations contained in said agreements.

(b) Article II, Section 1 of the By-Laws has been amended to provide that spouses of owners and co-owners, partners in a general partnership and the general partners of a limited partnership shall have the right to serve on the Board of Directors of the Owner's Association; and

(c) Article III, Section 12 has been added to the By-Laws to prohibit directors from voting on any matter in which they have a conflict of interest.

(2) The developer has advised the Commission that it will not be serving as the Managing Agent of the Project, contrary to the information contained in the Preliminary Public Report. The developer reserves the right, however, to appoint a Managing Agent at any time prior to the first conveyance of an apartment by lease.

The purchaser or prospective purchaser should be cognizant of the fact that this published report represents information disclosed by the developer in the required Notice of Intention submitted July 2, 1973, and by additional material subsequently filed as of August 25, 1975.

This FINAL HORIZONTAL PROPERTY REGIMES (CONDOMINIUM) PUBLIC REPORT is made a part of REGISTRATION NO. 586 filed with the Commission on July 2, 1973. The report, when reproduced, shall be a true copy of the Commission's public report. The paper stock used in making facsimiles must be white.

Ah Kam Young
For DOUGLAS R. SODETANI, Chairman
REAL ESTATE COMMISSION
STATE OF HAWAII

Distribution: DEPARTMENT OF TAXATION
BUREAU OF CONVEYANCES
PLANNING DEPARTMENT, CITY AND
COUNTY OF HONOLULU
FEDERAL HOUSING ADMINISTRATION
ESCROW AGENT

Registration No. 586
September 5, 1975